

Corres. and Mail
BOX AF

RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP



PATENT
Client-Matter No.: 66742-026 (P-HR 5615)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Yeaman and Shen

Serial No. 09/648,816

Filed: August 25, 2000

For: ANTIMICROBIAL PEPTIDES
AND DERIVED
METAPEPTIDES

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

) Confirmation No: 6324

) Group Art Unit: 1653

) Examiner: C. M. Kam

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"
) "EXPRESS MAIL" MAILING LABEL NUMBER: EV 400 551 579 US
) DATE OF DEPOSIT: April 19, 2004
) I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH
) THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO
) ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE
) AND IS ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450,
) ALEXANDRIA, VIRGINIA 22313-1450.
) Printed Name of Person Mailing Paper or Fee:

Signature of Person Mailing Paper or Fee

RESPONSE TO OFFICE ACTION

Responsive to the Office Action mailed February 17, 2004, Applicants respectfully request entry of the amendments and consideration of the following remarks.

Amendments to the Claims begins on page 2 of this paper.

Remarks begin on page 4 of this paper.



4-21-04

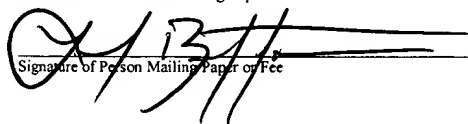
IFW

AF
1653

AMENDMENT TRANSMITTAL LETTER		CLIENT-MATTER NO.: 66742-026 (P-HR 5615)	
SERIAL NO: 09/648,816	FILING DATE: August 25, 2000	EXAMINER: C.M. Kam	GROUP ART UNIT: 1653 CONFIRMATION NO.: 6324
INVENTION: ANTIMICROBIAL PEPTIDES AND DERIVED METAPEPTIDES			

Mail Stop: AF
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"EXPRESS MAIL" MAILING LABEL NUMBER: EV 400 551 579 US
DATE OF DEPOSIT: April 19, 2004
I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE
UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE"
SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA,
VIRGINIA 22313-1450.
Printed Name of Person Mailing Paper or Fee: Leand Bantados


Signature of Person Mailing Paper or Fee

Transmitted herewith is Response to Office Action mailed February 17, 2004, in the above-identified application.

- ☒ Small Entity status of this application has been established under 37 CFR 1.27.
- ☐ Petition for Extension of Time is enclosed (in duplicate).
- ☐ Terminal Disclaimer with fee under 37 C.F.R. 1.20(d) is enclosed.
- ☒ No additional claims fee is required.
- ☐ An additional claims fee is required and has been calculated as shown below:

CLAIMS AS AMENDED

	NUMBER AFTER AMEND- MENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE			FEE	
							SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	4	-	66	-		x	\$9	\$18	=	\$	\$0.00
INDEPE N- DENT CLAIMS	1	-	16	-	0	x	\$42	\$84	=	\$0.00	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			_____YES		_____X_____NO		\$140	\$280	=	\$0.00	\$
							TOTAL ADDITIONAL FEE			\$	\$

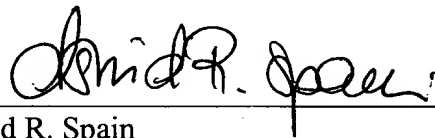
- * If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.
- ** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.
- *** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.

Inventors: Yeaman and Shen
Serial No.: 09/648,816
Filed: August 25, 2000
Page 2

- ☐ Please charge my Deposit Account No. * the amount of \$* which covers the fee for a *-month extension of time. A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge to Deposit Account No. 502624 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Dated: April 19, 2004

Respectfully submitted,



Astrid R. Spain
Registration No. 47,956
Telephone (858)535-9001
Facsimile: (858)535-8949

McDERMOTT, WILL & EMERY
4370 La Jolla Village Drive, Suite 700
San Diego, California 92122